

Zoom Teleconference Meeting of the Town Board, Town of Yorktown held on Tuesday, September 15, 2020 held in Yorktown Heights, New York 10598.

Present: Matthew J. Slater, Supervisor  
Thomas P. Diana, Councilman  
Edward A. Lachterman, Councilman  
Vishnu V. Patel, Councilman  
Alice E. Roker, Councilwoman

Also Present: Diana L. Quast, Town Clerk  
David Paganelli, Highway Superintendent  
Adam Rodriguez, Town Attorney

#### TOWN BOARD MEETING

Supervisor Matthew Slater called the meeting to order.

#### EXECUTIVE SESSION

Upon motion made by Councilman Lachterman, seconded by Councilman Diana, the Town Board moved into Executive Session to discuss employment of a particular person, litigation, and negotiations. Upon motion made by Councilman Patel, seconded by Councilwoman Roker, the Town Board moved out of Executive Session and proceeded with the meeting.

#### PLEDGE OF ALLEGIANCE

Supervisor Slater led the Pledge of Allegiance.

#### MOMENT OF SILENCE

Supervisor Slater asked all to join in a moment of silence to remember all of those impacted by the wildfires out West. Councilman Diana added to remember the two police officers shot in California today. Councilman Patel asked to remember the victims of COVID 19 and to pray for a vaccine.

#### INTRODUCTIONS

Supervisor Matt Slater introduced the Town Board, as well as Town Clerk Diana Quast and Town Attorney Adam Rodriguez.

#### REPORT FROM TOWN SUPERVISOR MATTHEW SLATER

Supervisor Slater gave a COVID update. He said the County released updated numbers and Yorktown has 21 active cases. He urged all residents to follow the safety protocols.

Supervisor Slater announced Town Hall hours have changed (effective today) to 8:00 A.M. to 4:00 P.M. in an effort to make our services more accessible to the residents of Yorktown. People are allowed in to Town Hall by appointment only and follow COVID screening procedures. These procedures protect both the residents and Town employees.

Supervisor Slater said our pump stations have been approved by the Department of Health and the Engineering Department is moving on to the demolition of the former pump stations.

Supervisor Slater announced the fluoride project that was started a few weeks ago should be completed by February 2021.

Supervisor Slater said that earlier today he joined the kick-off meeting for the Hill Boulevard and Veterans Road Culvert Replacement projects.

Supervisor Slater reminded everyone that school taxes are due. The deadline is September 30. Residents may pay their taxes by using the drop box located in the front of Town Hall or call the Receiver of Taxes to make an appointment to drop taxes off in person.

Supervisor Slater thanked everyone who participated in the 9-11 ceremonies. He said there were two spectacular ceremonies the Town held: the memorial in Shrub Oak and the Illumination Ceremony at Granite Knolls in memory of NYC Police Detective Michael

Houlihan, a Yorktown resident. He thanked the Parks and Recreation Superintendent and the department who were instrumental in getting both ceremonies off the ground. He thanked Officer Garcia who sang the National Anthem at the Shrub Oak memorial, Boy Scout Troupe 174 who did the Pledge of Allegiance, and the NYPD Ceremonial Unit who came up to do an amazing flag presentation for the Houlihan family at the Illumination Ceremony. He also thanked Andrew Gmoser, without whom the Illumination Ceremony would never have happened. Mr. Gmoser donated the equipment used at the ceremony.

Supervisor Slater announced the traditional Lions-sponsored Halloween Parade has been cancelled and will be replaced with a drive-in movie event at the Jefferson Valley Mall. There will also be a “Trunk or Treat” at the mall, sponsored by several civic organizations. He said the fate of the Electric Lights Parade has yet to be determined.

Supervisor Slater said the Par 3 Golf Course was before the Planning Board last night. He said they are hoping that by late summer of 2021 the project would be completed.

Supervisor Slater said Karren Perez, Section 8 Housing Director, has told him that the renovation of their office is near completion and they are beginning to receive clients again. The Section 8 office had received money as part of the CARES Act.

Supervisor Slater said the RFP for the Railroad Park Concession Stand is out and they are looking forward to the responses.

Supervisor Slater said the Senior Nutrition Center continues to do terrific work. He said that in August they averaged 103 meals prepared and delivered to Yorktown homebound residents. If you add in the meals they prepare for the Town of Somers, they are actually cooking for over 300 seniors. They also just took on Cortlandt, as well. The Senior Nutrition Center is having their two new vans delivered this week.

Supervisor Slater said that construction at the Junior Lake Pool was halted due to COVID. That project will now be completed by the end of October.

Supervisor Slater said that New York State is holding back \$180,000 of AIM funding, which Yorktown receives annually, due to the fiscal crisis the state is in due to COVID. He said he received word last week that the state is increasing the retirement contribution by \$100,000. Supervisor Slater said that, net-net for 2021, the Town lost a projected \$280,000 out of the budget for next year. He said the Town is working very hard with the Finance Department to prepare next year’s budget, and this is all being taken into account.

Supervisor Slater thanked the Water Department for their work on two recent water main breaks – one on Lee Boulevard and one on Hyatt Street. The Water Department is also in the middle of doing a valve check program, as well as starting their Fall Flushing Program in October. Supervisor Slater said he is happy to report that the water sampling station was installed for August. This was the result of a failing water sampling report in July that fed only two Town buildings and did not affect the public. He said the most recent test is back to showing normal results.

Supervisor Slater gave an update to Destination Y, the marketing campaign being managed by Thompson & Bender. The metrics are encouraging and are very good. He said they are hoping to see projects being proposed through the campaign.

Supervisor Slater said the litter in Yorktown is atrocious and embarrassing. He asked residents to have respect for the community. He said the Board is contemplating doubling the littering fine.

#### REPORTS FROM TOWN COUNCIL

Councilwoman Roker expressed her appreciation for the 9-11 ceremonies and commented on how much the Town does to remember the victims of 9-11 as well as those having died from 9-11 related illnesses.

Councilman Lachterman echoed Councilwoman Roker’s sentiments. He said it is one of the things he is most proud of in serving the community. He thanked the Planning Board

for taking initiative on the Lowes' Pad A project and cooperating with the site plan approvals. Councilman Lachterman praised the Senior Nutrition Center for not just providing and delivering meals but for the check-ins they do with the seniors. He mentioned scams that are going around and particularly cautioned seniors about emails that are supposedly coming from Town officials asking for money. The scams have been reported to the Yorktown Police. Councilman Lachterman congratulated the Tri-County Under 10 Summer Championship winners – the Yorktown Huskers won over Katonah Blue Storm, 6-0. He also said there have been issues at the gazebo at the DeVito Memorial Field. He spoke with John DeVito who said he would do an assessment of work to be done. Councilman Lachterman said this coming Sunday the Sons of the American Legion will be resuming their breakfasts, 9:00 A.M. to 11:00 A.M. Reservations are highly recommended.

Councilman Patel said he thanked those who participated in the 9-11 ceremonies. He said he reviewed the plans for the fluoridation project and said he would be keeping up to date on its progress. He said this has been a long time coming and thanked the Town Board for moving it forward. Councilman Patel commented on the littering of masks. He also encouraged the use of masks and proper disposal. Councilman Patel asked for food donations to be made to the food pantries.

Councilman Diana said the Illumination Ceremony and the 9-11 Memorial Ceremonies were very moving. He said Yorktown is dedicated to the memory of 9-11. He spoke about our Senior Nutrition Center helping out the City of Peekskill's meal program when they ran into some problems. He spoke about the scams that Councilman Lachterman referred to and cautioned residents.

Supervisor Slater wished all teachers a safe school year. He also wished a very happy holiday to those celebrating Rosh Hashanah.

#### REPORT FROM HIGHWAY SUPERINTENDENT

Highway Superintendent Paganelli reported that his department has been very busy the last few weeks regarding bicycle safety. They have ordered signage and restriped the roads where the bicycle path crosses Yorktown roads. He said he is hoping that the Department of Transportation would be interested in doing some sort of traffic control on Route 118 near the bike path. He said that today he attended the first pre-construction meeting with Transit Corp., the company that is doing the Hill Boulevard and Veterans Road Culvert Replacement Projects. He said they anticipate 240 calendar days for completion of the projects (8 months). Superintendent Paganelli said there will major traffic detours as a result of the work, and he would keep the public informed as the plans develop. Superintendent Paganelli said that since COVID he has been holding off paving due to the revenue shortfall. He said after working with the members of the Town Board and the Comptroller, he has decided to pave in segments. He said he will try to get back a state reimbursement and then proceed with the next segment. He said they will also be doing milling 5 roads, costing approximately \$180,000.

Councilman Patel asked if the paving needed, due to the gas line work at Broad Street/Granite Knolls Road, would be completed this year. Superintendent Paganelli said Granite Springs Road requires about 400-500 feet of drainage work. He said the Town's drainage pipe is directly above their high-pressure gas main. He said he does not want to pave the road until the work is totally complete to avoid having to cut up new pavement. He said Broad Street will be done, as well as Route 35. Granite Springs Road will most likely not be done this year but next spring after his department can do the drainage. Councilwoman Roker raised a visibility issue at the Granite Springs Road and Broad Street intersection and Superintendent Paganelli said he would take care of it.

Superintendent Paganelli said there was a meeting of the Traffic Advisory Committee. He said Officer Dillon gave them a good suggestion regarding the numerous requests for stop signs, which take a long time to process. Officer Dillon mentioned a universal law that other municipalities use that says any road that comes to an intersection, such as a T, requires a full stop. He said that he and Councilman Diana are going to bring the proposed legislation to the Town Board to consider adding to the Town Code. He said

they would then have a little more discretion regarding stop signs placements. He spoke about speed bumps and where they are able to be placed.

#### PRESENTATION FOR SICKLE CELL AWARENESS MONTH

Supervisor Slater introduced Jacqueline Davis Baker, a Yorktown resident and advocate for Sickle Cell Awareness Month. Ms. Davis Baker introduced Cheryl Cannon, a colleague and parent of a sickle cell patient.

Ms. Davis Baker said she has two sons with sickle cell and a granddaughter who has the sickle cell trait. She said sickle cell is a red blood disorder that prevents the proper amount of oxygen from getting to the different parts of the body, something necessary for life. This condition causes quite a bit of pain throughout the body and lasting from hours to days and weeks. She is a parent advocate who connects with community-based organizations to raise awareness of the disease. New York State has approximately 10,000 patients with sickle cell; one of the highest rates in the country. Ms. Davis Baker said this condition needs funding and much more research. She said many of the community-based organizations that have chapters in sickle cell disease bring awareness, resources, and assist with medical and non-medical referrals. They do education, employment, and housing assistance. She said this is a condition that needs to be kept in the forefront of the public conscience. Ms. Davis Baker spoke about new research that has been developed, some not as successful as hoped, gene therapy, etc. She spoke of the complications of the disease and how it can affect other parts of the body. She said they also connect with pharmaceutical companies to help further progress of new medications for patients. Ms. Davis Baker said sickle cell disease affects primarily African Americans, but there are cases of the disease in Hispanic, Caribbean, and Mediterranean populations.

Cheryl Cannon said her advocacy began when her son was diagnosed with sickle cell through newborn screening. She said her son, Shakir, became a passionate advocate in his own right but, unfortunately, died three years ago at the age of 34 due to complications of sickle cell disease. She spoke about her son and his family. Ms. Cannon said she has another son and 3 grandchildren who carry the sickle cell trait. She said advocating for education and funding for this disease is very close to her heart. She spoke of the work the support groups do. They currently have two bills before the state legislature, one of which is the Stem Cell Treatment Act. She said they also attend public health fairs to distribute information. Ms. Davis Baker said there are several fundraisers every year, including a Sickle Cell Walk and announced the latest one. She said that sickle cell disease has been classified as a rare disease, which is something they are trying to fight as it limits their funding to \$250,000. She said this is nowhere near enough since the treatment alone costs one patient \$15,000. She said their hope is to open treatment centers to provide preventive treatment to patients so they do not have to stay in the hospital.

Councilwoman Roker asked if it was possible for the Town to support the bills before the state legislature and Ms. Davis Baker said yes. She said they have co-signers on the bills but it is not enough to bring the bills to the floor. She also said they are very close to establishing a Westchester Chapter of her organization.

Supervisor Slater said information she could send to him, he would circulate to the Town Board. He said he felt the Town Board should pass a resolution in support of the two bills, A6493 and S2281 (Sickle Cell Treatment Act).

#### APPROVE RESOLUTION TO NEW YORK STATE IN SUPPORT OF THE SICKLE CELL TREATMENT ACT

##### RESOLUTION # 289

Upon motion made by Councilwoman Roker, seconded by Councilman Diana,

RESOLVED, that the Town Board hereby urges the State Legislature to pass the Sickle Cell Treatment Act (Assembly No. A6493, Senate No. S2281).

Slater, Diana, Lachterman, Patel, Roker Voting Aye  
Resolution adopted.

## ALLIANCE FOR SAFE KIDS - #WALKTHETALK

Liz Talbert, Executive Director, Tricy Cushner, Patrick Talbert, Kyra Brunner

Supervisor Slater introduced Liz Talbert, Executive Director of Alliance for Safe Kids (ASK), Tricy Cushner, Patrick Talbert, and Kyra Brunner to speak about #WALKTHETALK. Ms. Talbert said that since March ASK has been active with a variety of virtual initiatives. They introduced two virtual resource guides: Yorktown Together COVID Resource Guide and Yorktown Together Resource Guide for Diversity, Equity, and Inclusion. She said they engaged many student volunteers into virtual community service over the summer and it was exciting to see them embrace the virtual opportunities. Ms. Talbert said they are continuing to work on their first fundraising walk, #WALKTHETALK. She said they had to cancel their tenth annual Save-A-Life event in March and had to rethink how to share vital information and resources in a similar workshop format. They created the Save-A-Life Webinar Series. The most recent installment is this Thursday, September 17, at 7:00 P.M and is entitled “Achieving Wellness This Back-to-School Season” and discusses how to achieve a healthy balance between work, school, and social activities during COVID-19. The webinar is free and registration is required ([allianceforsafekids.org](http://allianceforsafekids.org)). Ms. Talbert introduced Kyra Brunner, volunteer coordinator.

Ms. Brunner said that prior to COVID-19, volunteers would work in person for three hours in their in-house community service opportunities. When COVID began, they had to make a quick shift to a virtual community service program, which began in March. Over the summer, ASK was able to provide new virtual opportunities every day. She said between the months of July and August 750 hours of service were accumulated by their volunteers – a number she is very proud of. She said this speaks to who Yorktown residents are as a town and a community to be able to come together in such a time of uncertainty. Ms. Talbert praised Ms. Brunner’s creativity and initiative in pulling together these volunteers and expressed her gratitude for her service.

Ms. Talbert introduced Patrick Talbert, the #WALKTHETALK coordinator, to speak about the fundraiser that will be held throughout October. October will begin as Emotional Wellness Month and end with the national campaign for Alcohol, Tobacco, Drug, and Violence Prevention. The event will include weekly webinars and ASK talks that will both serve as the “talk” component of #WALKTHETALK and walks will be taken throughout the community. The weekly webinars include topics such as emotional wellness, thoughtful service, and drug prevention. These will be shared across ASK’s social media platforms. Participants are encouraged to walk where they want, when they want, alone or with family and friends. Pop-up walks are going to be held at popular walking destinations. They also encourage participants to share their walk experiences using the hashtag #WALKTHETALK on their social media accounts. Mr. Talbert encouraged everyone to log on to the ASK website to register for #WALKTHETALK events and create their own walking team or join an existing one.

Councilman Lachterman said it also offers local and regional businesses to join and/or sponsor the event. Mr. Talbert agreed and said the fact that the event runs for 30 days gives sponsors as much exposure as possible, as opposed to a one-day event.

Ms. Talbert said if anyone would like to learn more about the event or sponsorship packages to please contact any one of the presenters (listed email addresses) or go on to ASK’s website. Ms. Talbert then introduced Tricy Cushner, Board President.

Ms. Cushner said she was asked by board members to share the information that at their board meeting held last evening, they were able to approve a three-month operating budget to get them through the end of the year. She said the ten years of federal funding that substantially funded approximately 80-90% of their expenses is over. In the past four years they have done a combination of New York State grants, local businesses, and wonderful family donations. She said they have now exhausted all of their federal and state funding. ASK’s Board is looking to move ahead with a dual process of dissolving the 501-C3 without funding and to work very closely with the town, schools, and every organization in the community to make sure they find all the right places to connect their resources, programs, and all of the work that has taken place over the past 15 years. They

would be happy to share their information through a Town Board presentation about how the #WALKTHETALK event did and how they are finishing out the year.

Councilwoman Roker expressed her dismay at this information. She asked Ms. Cushner to explain how the state and federal funding was exhausted. Ms. Cushner explained how they received their funding for ten years from a federal source and that ended five years ago. They were able to get through the last five years through sources of state funding but that has ended as well. The ASK Board is now looking at how to get their resources out to the public with basically no staff (a director, program instructors, etc.)

Councilman Diana asked for Ms. Talbert or Ms. Cushner to contact him to discuss other methods of funding.

Councilwoman Roker said the Town Board should try to help in some way – contact the governor, etc. She spoke of the importance of having “kids talking to kids” that ASK provides, as well as assistance to parents. She said the Town Board should be willing to fight for ASK.

Supervisor Slater agreed with Councilwoman Roker in that they should not give up yet. He suggested they get together to put together a plan.

#### NATIONAL FOOD TRUCK ASSOCIATION

Supervisor Slater introduced Matt Geller to talk about his company and what it could potentially do to enhance Yorktown.

Mr. Geller showed a slide presentation to describe his company. He said Best Food Trucks is basically a place where food trucks can book into locations, Best Food Trucks manages those locations, and once the food trucks get there, Best Food Trucks can provide the consumer with online ordering capability of up to 72 hours in advance. Mr. Geller showed a map of the locations they manage across the country in 13 cities. He demonstrated how their app and website works where customers can download to find the locations of the food trucks, as well as place an online order. Customers can also utilize a survey of their service so National Food Truck Association can keep track of the quality of the trucks they have in their program. Mr. Geller demonstrated a real-time order to show the ease of the website/app.

Supervisor Slater said the Town would be able to dictate the places and times of the food trucks and Mr. Geller said yes.

Councilman Patel asked if the food trucks tap into Town electricity or if the trucks had their own supply and Mr. Geller said all food trucks have their own generators. Mr. Geller said they have their own standards regarding generators and said they typically try to avoid old-school generators that have high decibel levels.

Supervisor Slater confirmed with Mr. Geller that their contracts with the food trucks have a required maximum decibel level and Mr. Geller said yes.

Councilwoman Roker reminded the Town Board that these trucks would require two permits – one from the Town and one from the Westchester County Department of Health. She asked if they owned the food trucks and Mr. Geller said no, they partner with the food truck owner.

Supervisor Slater asked for an example of how Mr. Geller’s company partners with a vendor (using Walter’s Hot Dogs as an example). Mr. Geller said his company would reach out to local vendors to contract with them. His company builds out the menu for the vendor and they set up their banking information so they can receive online payments. Mr. Geller said they also reach out to the various health departments to get lists of permitted food trucks in the area. He said they also research reviews of the trucks online to see customer ratings. Mr. Geller said they also do research on the locations to look for certain criteria: how they load in, bathroom locations for the vendors, etc. He said they also work with the municipalities to determine the fees and sites for the locations.

Supervisor Slater suggested having a truck at the Town's ballfields during the season and Mr. Geller said that might be a possibility. He said their concern is having locations that are easily accessible and have consumer base.

Councilwoman Roker asked about the reception they get from the restaurant community. Mr. Geller said that he feels they are separate – trucks do not like to go where restaurants are located. He said that many restaurants have started their own trucks in order to stay competitive.

Mr. Geller said that typically they begin with a pilot program to test locations. As they build on that, they also get to know the vendors.

Councilwoman Roker asked if the Town could choose the vendors they feel would enhance the chosen locations and Mr. Geller said yes.

Councilman Diana asked if there was a cost to the Town and the food trucks for the program and Mr. Geller said there is no cost to the Town but there is a cost to the food trucks. There is also revenue sharing with the Town.

Councilman Patel asked what times of the day would a truck be allowed to sell (i.e., lunchtime, dinnertime, etc.) and Mr. Geller said the times are determined by the Town and they would also give their input.

Supervisor Slater remarked that the Superintendent of Parks & Recreation is very excited about the prospect of bringing trucks to some of the park locations that never had access before.

Councilman Lachterman said since there is revenue sharing with the Town based on the day's receipts, he assumed that there is no additional charge for the spot and that the vendor would go through the Town's permitting process. Mr. Geller said they could charge locations any way they want and gave an example of other cities' charging methods.

Mr. Geller spoke about menu options and the types of cuisines offered in terms of variety.

Supervisor Slater said he thought this was an exciting concept and looks forward to an appropriate time to discuss this further. He also said that this company could also help the Town to organize a Food Truck Festival.

#### POET LAUREATE

John McMullen, Poet Laureate, read an original poem, "The Pets Keep Us Going."

Before moving to Courtesy of the Floor, Supervisor Slater congratulated Town Clerk Diana Quast for the work she did on the 9-11 video; he said it was a terrific community tribute.

#### DURING COURTESY OF THE FLOOR, the following people spoke:

The following members of the public spoke:

Walt Daniels, representing the Open Space Committee, spoke about the proposed Solar Law. He said they submitted a memo that outlined some objections to the law and wanted to make sure the Town Board received it. Supervisor Slater confirmed that the Town Board did receive the memo. Mr. Daniels addressed the portions of the proposed law with which the committee both agreed and opposed.

Kevin Byrnes, resident and a retired NYPD sergeant, thanked Councilman Diana for mentioning and remembering the two officers who were shot in California. He commented on the 9-11 ceremonies. He said he was glad to see the events held live this year. He said it is not only important for the families of the 5 victims from Yorktown, but also for the residents and for the children – many of whom were born after 9-11. It is important for the Town to have these ceremonies so they can learn to remember the events of that day. He said how much he appreciated the Illumination Ceremony and the

remembrance of Detective Houlihan. Mr. Byrnes thanked everyone who participated in planning the events.

Amy Savino, Yorktown for Justice, said she would like the Town Board to know that she and many members listened to last week's meeting. She said, respectfully, that the only agenda on any of their minds is for the Town to be the best it can be for all members of the community. She said Yorktown for Justice has been actively engaging the Town Board, prior to the August 11<sup>th</sup> meeting, on the formation of a task force to handle Executive Order 203. She said that, based on last week's meeting, they were hoping there would be some traction on the formation of the task force. She said that Yorktown for Justice is here to help in the formation of the task force and would begin working together as soon as possible. She asked when the first meeting would take place.

Susan Siegel, resident, said that at the last Courtesy of the Floor she asked a question about the status of the foreclosure petition that was filed by the Town in December of 2019. She said originally the last day for payment was supposed to be May 1, 2020 and was pushed to August 1 due to COVID. She said her question has not been answered yet and asked if the court has finalized the petition or if a new deadline had been set. Ms. Siegel said the Town Board had amended the Water Code so that the Water Department could send letters to commercial users, which would generate additional revenue. She asked if, at the next meeting, the Town Board could do an update as to what has happened since those letters went out (i.e., how many meters have been tested, etc.) because the Town desperately needs the water revenue.

Upon motion made by Councilwoman Roker, seconded by Councilman Lachterman, Courtesy of the Floor was closed.

Councilman Lachterman said he appreciated Mr. Byrnes' service in the NYPD and spoke of the emotion of the two ceremonies.

Supervisor Slater said Mr. Byrnes deserves credit for making arrangements for the NYPD Ceremonial Unit present. He said it is what a community does to help a family heal over their loss.

Councilman Lachterman said there are people today who still suffer from the effects of 9-11, which added to the poignancy of the events.

Councilman Patel spoke of the schoolchildren who attended the events.

Supervisor Slater addressed Mr. Daniels' comments regarding the Solar Law.

Supervisor Slater said they are still waiting for the promulgated regulations for Executive Order 203. He said the Town Board has proven its commitment to participating in the process and the Town Board will be back next week with this topic on the work session's agenda.

Councilwoman Roker said everything the Town Board spoke about highlights the community. She said this is a caring community and thinks that people, no matter what side of the issue they are on, want to be fair. She said if we cannot be fair, then we should not do anything at all.

Supervisor Slater asked Town Attorney Adam Rodriguez to address Ms. Siegel's question on the foreclosure petition. Mr. Rodriguez said the court has not ruled on any of the individual properties at issue. No court has ruled on how the redemption date has been affected by COVID or otherwise. He said they have been working diligently to prosecute in these matters and is confident that they will achieve success in the coming weeks and months.

Supervisor Slater said, regarding the water code and commercial water users, the notices were sent and received. He received a report this week from the Water Superintendent that he has received hardship letters in response to some of the notices and they will be responding to them. He said he does not have specifics yet. Councilwoman Roker said



that hardships are to be expected during these times and they would have to be handled on a case-by-case basis.

Director of Planning John Tegeder commented on Mr. Daniels Solar Law discussion regarding where large-scale installations could be placed. He also spoke about the revegetation of land used for solar installations and the restoration.

Councilman Patel said each parcel would be looked at individually and will come before the Town Board and Planning Board. He asked Mr. Tegeder to confirm this process and Mr. Tegeder said yes; all current laws (Tree, Woodlands, Stormwater, etc.) are in full force and effect for these installations as they would be for any other type of project.

ACCEPT RESIGNATION FROM THOMAS D'AGOSTINO FROM THE PLANNING DEPARTMENT

RESOLUTION #290

Upon Motion made by Councilwoman Roker, seconded by Councilman Diana,

Resolved, that the Town Board accepts the resignation received from Thomas D'Agostino from the Planning Department Effective September 24, 2020.

Slater, Diana, Lachterman, Patel, Roker Voting Aye  
Resolution adopted.

APPOINT PAUL VASILLO PROVISIONAL ASSISTANT DISTRIBUTION SUPERINTENDENT IN THE WATER DEPARTMENT

RESOLUTION #291

Upon Motion made by Councilwoman Roker, seconded by Councilman Diana,

BE IT RESOLVED, that Paul Vasillo is hereby appointed Provisional Assistant Distribution Superintendent, job class code 1026-01, in the Water Department, effective September 14, 2020, to be paid at the rate set forth in Yorktown CSEA Salary Schedule A, Group 16, Step 4, which is \$84,369.00 annually.

Slater, Diana, Lachterman, Patel, Roker Voting Aye  
Resolution adopted.

APPOINT SCOTT FERREIRA TO THE POSITION OF TEMPORARY MAINTENANCE MECHANIC (REPAIR) IN THE PARKS DEPARTMENT

RESOLUTION #292

Upon Motion made by Councilwoman Roker, seconded by Councilman Diana,

BE IT RESOLVED, that Scott Ferreira is hereby appointed as a temporary Maintenance Mechanic (Repair), job class code 0465-02, effective September 14, 2020, to be paid from Yorktown CSEA Salary Schedule A, Group 11, Step 5, which is \$69,231.00 annually.

Slater, Diana, Lachterman, Patel, Roker Voting Aye  
Resolution adopted.

APPROVE LEAD AGENCY AND NEGATIVE DECLARATION TO AMEND CHAPTER 300, ENTITLED "ZONING" BY ADDING A NEW ARTICLE VII, SECTION 300-81.5 "BATTERY ENERGY STORAGE SYSTEMS"

RESOLUTION #293

Upon motion made by Councilwoman Roker, seconded by Councilman Diana,

Approve Lead Agency Status & Negative Declaration for the SEQRA Review of an Amendment to Chapter 300, entitled "Zoning" by adding a new Article VII, Section 300-81.5 "Battery Energy Storage Systems"

WHEREAS, the Town Board is considering an amendment to Chapter 300, entitled "Zoning" by adding a new Article VII, Section 300-81.5 "Battery Energy Storage Systems" ("Action"); and

WHEREAS, the Town Board exercised due diligence in identifying other agencies with jurisdiction to fund, approve, or directly undertake the Project (“Involved Agencies”) in accordance with SEQRA; and

WHEREAS, the Town Board duly adopted a Resolution in which it: (i) declared its desire and intent to assume lead agency status (“Lead Agency”) in connection with the SEQRA review of the Action; and (ii) directed the Town Clerk to circulate a Lead Agency coordination letter amongst the various Involved Agencies (“Notice of Intent”), together with an Environmental Assessment Form (“EAF”); and

WHEREAS, the Town Clerk duly transmitted the EAF to the Involved Agencies, and notified them that a Lead Agency must be agreed upon within 30 calendar days of the date the Town Board’s Notice of Intent was transmitted to them; and

WHEREAS, the Town Board desires to serve as Lead Agency with respect to the review of the Action, in accordance with Article 8 of the Environmental Conservation Law of the State of New York, and the regulations promulgated thereunder at 6 N.Y.C.R.R. Section 617.6(b); and

WHEREAS, more than 30 calendar days have elapsed since the Town Clerk’s transmittal of the aforementioned documentation, and no other Involved Agency has objected to the Town Board serving as Lead Agency in connection with the SEQRA review of the Action; and

NOW THEREFORE BE IT RESOLVED, THAT:

1. The Town Board hereby assumes Lead Agency status in connection with the SEQRA review of the Action.
2. That the Town of Yorktown shall adopt in its determination of significance this NEGATIVE DECLARATION, indicating that information provided in the Environmental Assessment Form has sufficiently demonstrated that the proposed action will not result in significant adverse environmental impacts.

Slater, Diana, Lachterman, Patel, Roker Voting Aye  
Resolution adopted.

ADOPT LOCAL LAW #10 OF 2020 AMENDING CHAPTER 300, ENTITLED “ZONING” BY ADDING A NEW ARTICLE VII, SECTION 300-81.5 “BATTERY ENERGY STORAGE SYSTEMS”  
RESOLUTION #294

Upon motion made by Councilman Diana, seconded by Councilman Lachterman,

WHEREAS, the Town Board of the Town of Yorktown has undertaken to adopt a new local law relating to amending Chapter 300, entitled “Zoning” by adding a new Article VII, Section 300-81.5 “Battery Energy Storage Systems”; and

WHEREAS, the Town Board, being the sole approval authority, is lead agency by operation of law; and

WHEREAS, the adoption of a new local law relating to amending Chapter 300, entitled “Zoning” by adding a new Article VII, Section 300-81.5 “Battery Energy Storage Systems” is a Type I action under SEQRA; and

WHEREAS, the proposed local law was referred to and reviewed by the Advisory Board on Architecture and Community Appearance, Building Inspector, Conservation Board, Engineering Department, Mohegan Volunteer Fire Association, Yorktown Heights Fire Company Engine #1, Highway Department, Planning Department, Police Department, Public Safety Committee, Lakeland Central School District, Yorktown Central School District, Tree Conservation Advisory Commission, Water Department and Zoning Board of Appeals of the Town of Yorktown; and by the Westchester County Planning Board/Department, Westchester County Department of Health, Westchester County Environmental Facilities, Westchester County Soil and Water; and by the New York State

Department of Conservation, Albany & Region III, New York State Department of Transportation, New York State Army Corps of Engineers; and the New York City Department of Environmental Protection; and the Town of Cortlandt, Town of Ossining, Town of Putnam Valley; Town of Somers; and

WHEREAS, modifications to the proposed local law have been made to incorporate the comments and recommendations of the reviewing boards and departments; and

WHEREAS, the Town Board convened a Public Hearing with respect to the proposed local law on December 17, 2019, which was adjourned and reconvened on June 16, 2020, which was adjourned and reconvened on July 21, 2020, which public hearing was closed; and

WHEREAS, it appears to the satisfaction of the Town Board that adoption of this proposed local law will have no significant adverse impacts;

Now, Therefore Be It Hereby Resolved, that the proposed local law shall be adopted by roll call vote of the Town Board of the Town of Yorktown:

Supervisor Matthew J. Slater	Voting	Aye
Councilman Thomas P. Diana	Voting	Aye
Councilman Edward A. Lachterman	Voting	Aye
Councilman Vishnu V. Patel	Voting	Aye
Councilwoman Alice E. Roker	Voting	Aye

Local Law #10 of 2020 was thereupon declared duly adopted.

APPROVE LEAD AGENCY AND NEGATIVE DECLARATION TO AMEND CHAPTER 300 ENTITLED “ZONING” BY ADDING A NEW ARTICLE VII, SECTION 300-81.4 “SOLAR POWER GENERATION SYSTEMS AND FACILITIES” RESOLUTION #295

Upon motion made by Councilwoman Roker, seconded by Councilman Diana,

Approve Lead Agency Status & Negative Declaration for the SEQRA Review of an Amendment to Chapter 300 entitled “Zoning” by adding a new Article VII, Section 300-81.4 “Solar Power Generation Systems and Facilities”

WHEREAS, the Town Board is considering an amendment to Chapter 300 entitled “Zoning” by adding a new Article VII, Section 300-81.4 “Solar Power Generation Systems and Facilities” (“Action”); and

WHEREAS, the Town Board exercised due diligence in identifying other agencies with jurisdiction to fund, approve, or directly undertake the Project (“Involved Agencies”) in accordance with SEQRA; and

WHEREAS, the Town Board duly adopted a Resolution in which it: (i) declared its desire and intent to assume lead agency status (“Lead Agency”) in connection with the SEQRA review of the Action; and (ii) directed the Town Clerk to circulate a Lead Agency coordination letter amongst the various Involved Agencies (“Notice of Intent”), together with an Environmental Assessment Form (“EAF”); and

WHEREAS, the Town Clerk duly transmitted the EAF to the Involved Agencies, and notified them that a Lead Agency must be agreed upon within 30 calendar days of the date the Town Board’s Notice of Intent was transmitted to them; and

WHEREAS, the Town Board desires to serve as Lead Agency with respect to the review of the Action, in accordance with Article 8 of the Environmental Conservation Law of the State of New York, and the regulations promulgated thereunder at 6 N.Y.C.R.R. Section 617.6(b); and

WHEREAS, more than 30 calendar days have elapsed since the Town Clerk’s transmittal of the aforementioned documentation, and no other Involved Agency has objected to the

Town Board serving as Lead Agency in connection with the SEQRA review of the Action; and

NOW THEREFORE BE IT RESOLVED, THAT:

1. The Town Board hereby assumes Lead Agency status in connection with the SEQRA review of the Action.
2. That the Town of Yorktown shall adopt in its determination of significance this NEGATIVE DECLARATION, indicating that information provided in the Environmental Assessment Form has sufficiently demonstrated that the proposed action will not result in significant adverse environmental impacts.

Slater, Diana, Lachterman, Patel, Roker Voting Aye  
Resolution adopted.

ADOPT LOCAL LAW #11 OF 2020 AMENDING CHAPTER 300 ENTITLED  
“ZONING” BY ADDING A NEW ARTICLE VII, SECTION 300-81.4 “SOLAR  
POWER GENERATION SYSTEMS AND FACILITIES”  
RESOLUTION #296

Upon motion made by Councilwoman Roker, seconded by Councilman Lachterman,

WHEREAS, the Town Board of the Town of Yorktown has undertaken to adopt a new local law relating to amending Chapter 300 entitled “Zoning” by adding a new Article VII, Section 300-81.4 “Solar Power Generation Systems and Facilities”; and

WHEREAS, the Town Board, being the sole approval authority, is lead agency by operation of law; and

WHEREAS, the adoption of a new local law relating to amending Chapter 300 entitled “Zoning” by adding a new Article VII, Section 300-81.4 “Solar Power Generation Systems and Facilities” is a Type I action under SEQRA; and

WHEREAS, the proposed local law was referred to and reviewed by the Advisory Board on Architecture and Community Appearance, Building Inspector, Conservation Board, Engineering Department, Mohegan Volunteer Fire Association, Yorktown Heights Engine Company #1, Highway Department, Planning Department, Police Department, Public Safety Committee, Lakeland Central School District, Yorktown Central School District, Tree Conservation Advisory Commission, Water Department, Zoning Board of Appeals of the Town of Yorktown; and by the Westchester County Planning Board/Department, Westchester County Department of Health, Westchester County Environmental Facilities, Westchester County Soil and Water; and by the New York State Department of Conservation, Albany & Region III, New York State Department of Transportation, New York State Army Corps of Engineers; and the New York City Department of Environmental Protection; and the Town of Cortlandt, Town of Ossining, Town of Putnam Valley; Town of Somers; and

WHEREAS, modifications to the proposed local law have been made to incorporate the comments and recommendations of the reviewing boards and departments; and

WHEREAS, the Town Board convened a public hearing with respect to the proposed local law on July 9, 2019, which was adjourned and reconvened on July 21, 2020, which was adjourned and reconvened on July 28, 2020, which public hearing was closed; and

WHEREAS, it appears to the satisfaction of the Town Board that adoption of this proposed local law will have no significant adverse impacts;

Now, Therefore Be It Hereby Resolved, that the proposed local law shall be adopted by roll call vote of the Town Board of the Town of Yorktown:

Supervisor Matthew J. Slater	Voting Aye
Councilman Thomas P. Diana	Voting Aye
Councilman Edward A. Lachterman	Voting Aye

Councilman Vishnu V. Patel            Voting   Aye  
Councilwoman Alice E. Roker        Voting   Aye

Local Law #11 of 2020 was thereupon declared duly adopted.

SET PUBLIC HEARING TO CONSIDER A PROPOSED LOCAL LAW AMENDING CHAPTER 240 OF THE CODE OF THE TOWN OF YORKTOWN BY ADDING A NEW ARTICLE III ENTITLED “LOW-PRESSURE SEWER SYSTEMS.”

RESOLUTION #297

Upon motion made by Council Lachterman, seconded Councilwoman Roker,

NOTICE IS HEREBY GIVEN that a public hearing will be convened by the Town Board, Town of Yorktown, Westchester County, New York on the 6<sup>th</sup> day of October, 2020 at 7:30 o'clock PM, or as soon thereafter as the same can be heard, to consider a proposed Local Law amending Chapter 240 of the Code of the Town of Yorktown entitled “SEWERS AND SEPTIC SYSTEMS” by adding a new Article III entitled “Low-Pressure Sewer Systems.”

Slater, Diana, Lachterman, Patel, Roker   Voting   Aye  
Resolution adopted.

SET PUBLIC HEARING TO CONSIDER THE APPLICATION FILED BY DANNY PORCO, NY FUEL DISTRIBUTORS, LLC FOR A SPECIAL USE PERMIT FOR A GAS STATION LOCATED AT 3700 BARGER STREET

RESOLUTION #298

Upon motion made by Council Lachterman, seconded Councilwoman Roker,

NOTICE IS HEREBY GIVEN that a public hearing will be reconvened by the Town Board, Town of Yorktown, Westchester County, New York on October 6, 2020 at the Town Hall, 363 Underhill Avenue, Yorktown Heights, NY at 7:30 pm o'clock or as soon thereafter can be heard to consider the application filed by Danny Porco, NY Fuel Distributors, LLC for a Special Use Permit for a gas station located at 3700 Barger Street, Yorktown, NY, also known as Section 16.07, Parcel 1, Lot 43. The request is to demolish the existing Getty Automotive Service Station and replace it with a new gas station and convenience store with a 2,200 square foot canopy and associated appurtenances.

Slater, Diana, Lachterman, Patel, Roker   Voting   Aye  
Resolution adopted.

AUTHORIZE SUPERVISOR TO SIGN A CONTRACT WITH ESI EMPLOYEE ASSISTANCE GROUP FOR AN EMPLOYEE ASSISTANCE PROGRAM

RESOLUTION #299

Upon motion made by Council Lachterman, seconded Councilwoman Roker,

Authorize the Supervisor to sign a contract with ESI Employee Assistance Group for an Employee Assistance Program, at a total annual cost of \$24.00 per employee.

Slater, Diana, Lachterman, Patel, Roker   Voting   Aye  
Resolution adopted.

AUTHORIZE LIBRARY DIRECTOR TO SIGN AN AGREEMENT WITH AUTOMATED CONTROL LOGIC, FOR ON-CALL MONITORING OF THE LIBRARY'S MISSION-CRITICAL EQUIPMENT IN AN AMOUNT NOT TO EXCEED \$4,000.00

RESOLUTION #300

Upon motion made by Council Lachterman, seconded Councilwoman Roker,

RESOLVED, that the Library Director is authorized to execute an agreement with Automated Control Logic, for on-call monitoring of the Library's mission-critical equipment, in an amount not to exceed \$4,000. The term of the contract will be retroactive from April 1, 2020 through December 31, 2021.

Slater, Diana, Lachterman, Patel, Roker Voting Aye  
Resolution adopted.

AUTHORIZE SUPERVISOR TO EXECUTE A RELEASE WITH PROGRESSIVE  
MAX INSURANCE IN CONNECTION WITH DAMAGES SUSTAINED TO A TOWN  
FIRE HYDRANT IN THE AMOUNT OF \$3,760.66

RESOLUTION #301

Upon motion made by Council Lachterman, seconded Councilwoman Roker,

RESOLVED, the Supervisor is authorized to execute a release with Progressive Max Insurance for an amount of \$3,760.66 in connection with damages sustained to Town Fire Hydrant at Route 202 - 2595 Mercer Court.

Slater, Diana, Lachterman, Patel, Roker Voting Aye  
Resolution adopted.

AUTHORIZE COMPTROLLER TO PAY OUT THE CASH VALUE OF UNUSED  
TIME AS OF RETIREMENT DATE – KIM ANGLISS-GAGE

RESOLUTION #302

Upon motion made by Council Lachterman, seconded Councilwoman Roker,

Be It Resolved, that the Town Board hereby authorizes the Town Comptroller to pay Kim Angliss-Gage the cash value of unused time as of her date of retirement:

Rate of Pay: \$38.1724

Sick 1400.00 hours @ 50% = 700.00 hours  
700.00 hours x \$38.1724 = \$26,720.68

Vacation 122.50 hours x \$38.1724 = \$4,676.11

Longevity  
\$1,600 / 261 days = \$6.13 per day  
03/04/20 to 08/31/20 = 150 days  
150 days x \$6.13 = \$919.50

Total \$32,316.29

Be It Further Resolved, that the Comptroller is hereby authorized to transfer funds for the purpose of this payout at retirement as follows:

From:

SR909.8	Refuse/Recycling Fund Reserve Employee Accrued Benefits	\$26,720.68
SR7210.101	Refuse/Recycling Salary	\$4,676.11
SR7210.106	Refuse/Recycling Longevity	\$ 919.50

To:

SR7210.108	Refuse/Recycling Lump Sum Payments	\$32,316.29
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Slater, Diana, Lachterman, Patel, Roker Voting Aye  
Resolution adopted.

AUTHORIZE COMPTROLLER TO PROCESS THE FOLLOWING BUDGET  
TRANSFER FOR THE WATER DEPARTMENT

RESOLUTION #303

Upon motion made by Council Lachterman, seconded Councilwoman Roker,

BE IT RESOLVED, that the Town Comptroller is hereby authorized to make the following budget transfer:

Transfer \$6,000 from the Water Department Equipment Vehicles line (SW.8340.0201.0002) to the Water Department Equipment line (SW.8320.0200) for the purchase of a generator for the French Hill tanks site.

Slater, Diana, Lachterman, Patel, Roker Voting Aye  
Resolution adopted.

AUTHORIZE COMPTROLLER TO PROCESS THE FOLLOWING TAX CERTIORARI PROCEEDINGS AFFECTING TAX PARCEL 15.16, BLOCK 1, LOT 25 1870 EAST MAIN STREET  
RESOLUTION #304

Upon motion made by Council Lachterman, seconded Councilwoman Roker,

WHEREAS, tax certiorari proceedings were instituted challenging the assessment for parcel known as Section 15.16 Block 1 Lot 25, 1870 East Main Street on the Tax Map of the Town of Yorktown, now therefore be it

RESOLVED, that the tax certiorari proceedings affecting tax parcel 15.16 Block 1 Lot 25 Account Number 0544500, owned by Jonmaros Food Corp. for assessment roll years 2015, 2016, 2017, 2018 and 2019 are settled as set forth in the proposed stipulation as follows:

<u>Roll Year</u>	<u>Assessed Value From</u>	<u>Assessed Value To</u>	<u>Reduction</u>
2015	23,100	17,284	5,816
2016	23,100	17,273	5,827
2017	23,100	17,213	5,887
2018	23,100	17,187	5,913
2019	23,100	17,795	5,305

Slater, Diana, Lachterman, Patel, Roker Voting Aye  
Resolution adopted.

AUTHORIZE COMPTROLLER TO RELEASE ESCROW DEPOSIT FOR STREET OPENING PERMIT #018-006 IN THE AMOUNT OF \$1,000.00 FOR WORK DONE AT 3211 LAKESHORE DRIVE  
RESOLUTION #305

Upon motion made by Council Lachterman, seconded Councilwoman Roker,

Resolved, that upon the recommendation of the Highway Superintendent Dave Paganelli, the Comptroller is authorized to release the Escrow deposit for Street Opening Permit #018-006 in the amount of \$1,000.00 for work done at 3211 Lakeshore Drive to ECO Contracting & Management, 61 Whitman Road, Yorktown Heights, NY 10598.

Slater, Diana, Lachterman, Patel, Roker Voting Aye  
Resolution adopted.

AUTHORIZE COMPTROLLER TO RELEASE ESCROW DEPOSIT FOR DRIVEWAY PERMIT #DR1233 IN THE AMOUNT OF \$500.00 FOR WORK DONE AT 2346 HAWTHORNE DRIVE  
RESOLUTION #306

Upon motion made by Council Lachterman, seconded by Councilwoman Roker,

Resolved, that upon the recommendation of the Highway Superintendent Dave Paganelli, the Comptroller is authorized to release the Escrow deposit for Driveway Permit #DR1233 in the amount of \$500.00 for work done at 2346 Hawthorne Drive to Anthony Commentucci, 944 N. Broadway, Suite 201, Yonkers, NY 10701.

Slater, Diana, Lachterman, Patel, Roker Voting Aye  
Resolution adopted.

AUTHORIZE TOWN SUPERVISOR TO RENEW A PROFESSIONAL SERVICES AGREEMENT WITH FRED COOK INC. IN THE NOT-TO-EXCEED AMOUNT OF \$25,000 FOR A TOWN-WIDE PROGRAM TO PERFORM TV INSPECTION OF SEWER PIPELINES  
RESOLUTION #307

Upon motion made by Council Lachterman, seconded Councilwoman Roker,

WHEREAS,

1. The Town sewer infrastructure is approaching 50 years old in many locations and a program of regular inspections is needed to assess current pipeline conditions and to identify areas that will need rehabilitation or replacement in future years. In addition, as a public-owned treatment works with a SPDES permit, the Town has in place a Capacity, Management, Operation and Maintenance Plan (CMOM) that obligates us to regularly assess the sewer piping system and to prioritize short term and long-term repair/replacement projects.
2. The Town started the inspection program in 2017 along Hill and Lee Boulevard and continued in 2018 along Somerston Road and Sheila Court. In 2019 the inspection program cleaned sewers along Saw Mill River Rd, Midland Drive and Allen Drive. For 2020 we will re-visit some of the prior areas around Somerston Road to confirm there is no new buildup of debris and will flush new areas that comprise collection areas within the Hallocks Mill Sewer District.
3. The project will include the following scope of work: (1) perform up to 6,000 linear feet of light cleaning in sewer pipelines; (2) perform up to 6,000 linear feet of heavy cleaning in sewer pipelines; and (3) perform up to 12,000 linear feet of television video inspection. Also includes a report that summarizes the conditions found and any follow-up work that needs to be done.
4. Since the nature of pipeline cleaning will not be known until the actual work begins, i.e. whether light cleaning will be enough to clear debris and sediment for the camera to pass through (or if heavy cleaning and root cutting will be needed), the project was bid with unit prices.
5. The Town has been satisfied with the services provided by Fred Cook Inc. and the firm has agreed to hold their pricing for a new agreement. All terms and conditions of the original agreement will remain the same.
6. The prices bid by Fred Cook Inc. were as follows: (1) Light or heavy cleaning 1,000 linear feet @ \$1.00 per linear foot; (2) Heavy cleaning including root cutting 4,000 linear feet @ \$1.00 per linear foot; (3) 14-inch diameter piping and above: 1,000 linear feet @ \$1.50 per linear foot Video inspection, DVD and final report 6,000 linear feet @ \$1.25 per linear foot.
7. The Department will use available funds for this work under Cost Code YS.8130.459 Infiltration & Inflow Control,

NOW, THEREFORE BE IT RESOLVED, that the Town Board authorizes the Town Supervisor to sign a Professional Services Agreement with Fred Cook Inc., for the scope of work as described in preceding section in the not-to-exceed amount of \$25,000.

Slater, Diana, Lachterman, Patel, Roker Voting Aye  
Resolution adopted.

AUTHORIZE TOWN CLERK TO REFER OUT A PROPOSED LOCAL LAW AMENDING CHAPTER 300-75(A) OF THE CODE OF THE TOWN OF YORKTOWN ENTITLED "ZONING" REGARDING STORAGE FACILITIES  
RESOLUTION #308

Upon motion made by Council Lachterman, seconded Councilwoman Roker,

RESOLVED, that the Town Clerk is hereby authorize to refer out a proposed Local Law



amending Chapter 300-75 (A) of the Code of the Town of Yorktown entitled “ZONING.” Section 300-75(A) of the Town Code is hereby amended to read as follows:

The Planning Board may approve the use of a site, within the C-1 Zone, that has been improved and operates with an allowed main use or uses permitted under the C-1 Zone, for a warehousing operation, provided such use is only conducted in space served by loading berths or docks and is accessed from portions of the building or buildings not visible from the main frontage of the site, any customer entry of any main uses, or a facade of any main use. Adequate provision shall be made for the off-street parking of all vehicles which would use the terminal, and provided that access and service drives are located so as to avoid unsafe conditions and traffic congestion. The Planning Board may also approve a self-storage warehouse operation either integrated into a building or buildings of a retail shopping center or as a stand-alone single-use development not operated with another main use within the C-1 zone under the provisions of this Section 300-75. Self-storage operations that are stand-alone single-use developments may be accessed from portions of the building or buildings visible from the main frontage of the site provided the individual storage units are primarily accessed from the interior of the building. Individual storage units may be accessed from the exterior only on facades that do not face or front on public roads provided such elements are designed and/or buffered to the satisfaction of the Planning Board.

Self-storage warehouse operations permitted hereunder shall comply with Subsections A, J, K, and L of Section 300-79 of this article, except that no residence for the use of the owner of the facility and/or a caretaker shall be permitted.

BE IT FURTHER RESOLVED, the Town Board declares its intent to act as Lead Agency.

Slater, Diana, Lachterman, Patel, Roker Voting Aye  
Resolution adopted.

AUTHORIZE TOWN CLERK TO REFER OUT A PROPOSED LOCAL LAW AMENDING CHAPTER 300 OF THE CODE OF THE TOWN OF YORKTOWN ENTITLED “ZONING” BY ADDING A NEW ARTICLE XXI, ENTITLED “PLANNED DESIGN DISTRICT OVERLAY ZONES”  
RESOLUTION #309

Upon motion made by Council Lachterman, seconded Councilwoman Roker,

RESOLVED, that the Town Clerk is hereby authorize to refer out a proposed Local Law amending Chapter 300 of the Code of the Town of Yorktown entitled “ZONING.” by adding a new Article XXI, entitled “Planned Design District Overlay Zones”, as follows:

This Article regulates the location, design, occupancy, and use of structures and the use of land within the areas known as the “Planned Design District Overlay Zones” (hereinafter “PDDOZ”) within the Town of Yorktown. The primary purpose of this Article is to institute legally enforceable and unique Planned Design Districts (“PDDs”) adopted herein or prospectively, based upon and in furtherance of the goals established Chapter 4 of the Town of Yorktown Comprehensive Plan adopted on July 15, 2010 (hereinafter “the Comprehensive Plan”) and as hereinafter amended.

BE IT FURTHER RESOLVED, the Town Board declares its intent to act as Lead Agency.

Slater, Diana, Lachterman, Patel, Roker Voting Aye  
Resolution adopted.

AUTHORIZE TOWN CLERK TO ADVERTISE BID FOR ANNUAL MAINTENANCE AND EMERGENCY ON-CALL SERVICE FOR TOWN BOILERS, BURNERS, AND FURNACES  
RESOLUTION #310

Upon motion made by Council Lachterman, seconded Councilwoman Roker,

Resolved, that the Town Clerk is authorized to advertise a Bid for Annual Maintenance and Emergency On-Call Services for Town Boilers, Burners and Furnaces.

Slater, Diana, Lachterman, Patel, Roker Voting Aye  
Resolution adopted.

ADJOURN

Upon motion made by Councilman Lachterman, seconded by Councilwoman Roker, the Town Board meeting was adjourned.

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DIANA L. QUAST, TOWN CLERK  
TOWN OF YORKTOWN  
CERTIFIED MUNICIPAL CLERK